

IN THE CIRCUIT COURT FOR THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

IN THE MATTER OF A PENDING
CRIMINAL INVESTIGATION

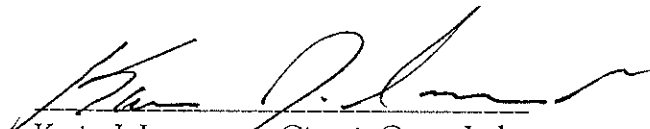
ORDER SEALING SEARCH
WARRANT MATERIALS

Good cause appearing from the affidavit of Detective Anthony Merrill, the Court finds that disclosure of the materials subject of this order would:

- ☒ Jeopardize an ongoing law enforcement investigation;
☐ Jeopardize the life or safety of one or more individuals whose identity and role may be determined from an inspection of those materials.

It is therefore ORDERED that the Affidavit for Search Warrant, the related Search Warrant and Seizure Order and the Return of Search Warrant issued December 19, 2018, enclosed herewith be sealed and not disclosed to any person until further order of this court.

Dated: 12/31/18


Karin J. Immergut, Circuit Court Judge

MULTNOMAH COUNTY CIRCUIT COURT
SEARCH WARRANT RETURN

The ORIGINAL WARRANT must be attached to this return.
The completed return must be mailed to issuing judge (at 1021 SW 4th Ave,
Portland, OR 97204) or delivered to that judge in person.

Do not email or fax this return.

PPB Case #18-103742

The declarant identified below makes the following search warrant return:

1. This warrant was issued by Judge Karen Immergut
2. This warrant was issued on 12/19/18 at 3:15 am/pm.
3. The affiant was: ☒ the undersigned, or
☐ _____ BPSST# _____
4. The warrant was: ☐ not served, or
☒ served on 12/21/18 at 0800 am/pm.
5. During the execution of the warrant:
☒ No property was seized, or
☐ Property was seized, see attached _____ pages, or
☐ The below listed items were seized:

The warrant was submitted to the
Portland Police Bureau ^{Computers} Forensic Specialist
Officer Aaron Sparling, [REDACTED], on 12/19/18
to process/image the black Dell Laptop with charger & the
(3) flashdrives: (1) Green & (2) Blue and (1) Flashdrive [REDACTED]

- PER #A109019
6. I hereby declare that the above statements (and the attached pages, if any) are true to the best of my knowledge and belief, and that I understand they are made for use as evidence in court and are subject to penalty for perjury.

Anthony Merrill #35227
OFFICER SIGNATURE

Anthony Merrill #35227
PRINTED NAME

Agency: PPB DPSST# 35227 CONTACT # 503-793-2154

County of Multnomah

IN THE NAME OF THE STATE OF OREGON

TO ANY PEACE OFFICER IN THE STATE OF OREGON, GREETINGS:

1 You are hereby commanded to search for evidence of crimes related to Murder (ORS
2 163.115) and Unlawful use of a Weapon (ORS 166.220) to test and examine to include, but not
3 limited to:

4 A black Dell Laptop computer with charger associated with Portland Police Bureau
5 Property Evidence Receipt #A109019, Item #2;

6
7 And,

8
9 Three (3) flash drives from a Home Depot box (2 blue & 1 green) associated with Portland
10 Police Bureau Property Evidence Receipt #A109019, Item #1;

11
12 And,

13
14 One (1) flash drive associated with Portland Police Property Evidence Receipt
15 #A072221, Item #2;

16
17 That I know the black Dell Laptop computer with charger associated with Portland Police
18 Bureau Property Evidence Receipt #A109019, Item #2, and Three (3) flash drives from a Home
19 Depot box (2 blue & 1 green) associated with Portland Police Bureau Property Evidence Receipt
20 #A109019 to be currently stored at the Detective Division Satellite Property Evidence Room on
21 the 13th floor, Portland Police Bureau, located at 1111 SW 2nd Avenue, City of Portland,
22 County of Multnomah, State of Oregon and the one (1) flash drive associated with Portland
23 Police Property Evidence Receipt #A072221, Item #2 to be currently stored at Portland Police
24 Bureau Property Evidence Division located at 2619 NW Industrial St, Suite B4, City of Portland,
25 County of Multnomah, State of Oregon;

County of Multnomah

IN THE NAME OF THE STATE OF OREGON

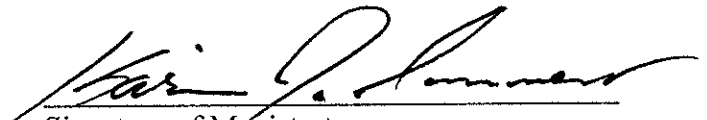
TO ANY PEACE OFFICER IN THE STATE OF OREGON, GREETINGS:

And to seize and analyze the aforesaid objects of the search based upon the confines of the
Affidavit;

You are further directed to make return of this warrant to me within ten (10) days after
the execution thereof.

It is further ordered pursuant to ORS 165.657 that the file in this cause be sealed until
otherwise ordered by the court.

ISSUED over my hand on December 19th 2018 at 3:15 a.m. (p.m.)


Signature of Magistrate

Circuit Court Judge
Title of Magistrate

IN THE CIRCUIT COURT OF THE STATE OF OREGON

MULTNOMAH COUNTY

STATE OF OREGON

COUNTY OF MULTNOMAH

AFFIDAVIT FOR

SEARCH WARRANT

ADDENDUM

I, Anthony J. Merrill, upon my oath, do hereby depose and say that:

I am employed as a Detective with the Portland Police Bureau (PPB) and have been a police officer for over twenty years. I have a Bachelor of Arts Degree with a major in Political Science. I am currently assigned to the Detective Division and work as a member of the Homicide Detail for over the last seven years. I have attended and completed the Oregon State Basic Police Academy, the Portland Police Bureau Advanced Academy, and the Portland Police Bureau Detectives' Academy. I was also assigned previously as a Detective to the Tactical Operations Division as a member of the Gang Enforcement Team, Robbery, Cold Case Homicide, Afternoon General Assignment, Fraud, and Assault Details. I have received training from Wicklander-Zulawski & Associates in Interview and Interrogation, Third Degree Communications, Inc. in Interview and Interrogation and Robbery Investigations, Inside the Tape in Homicide and Crime Scene Management training, and multiple, annual Oregon Homicide Investigator Association conferences of which I am a member and have presented multiple case studies. I was assigned as a Patrol Officer at Central Precinct on afternoon and morning shifts for four years, a Street Crimes Specialty Unit Officer for one and a half years, a School Resource Officer for two and a half years, and a Mayor's Protective Detail Officer for one year.

1 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**
2 **MULTNOMAH COUNTY**

3 That I am seeking a search warrant for the following items:

4
5 A black Dell Laptop computer with charger associated with Portland Police Bureau
6 Property Evidence Receipt #A109019, Item #2,

7
8 And

9
10 Three (3) flash drives from a Home Depot box (2 blue & 1 green) associated with
11 Portland Police Bureau Property Evidence Receipt #A109019, Item #1;

12
13 And

14
15 One (1) flash drive associated with Portland Police Property Evidence Receipt
16 #A072221, Item #2;

17
18 The black Dell Laptop computer with charger associated with Portland Police Bureau
19 Property Evidence Receipt #A109019, Item #2, and three (3) flash drives from a Home Depot
20 box (2 blue & 1 green) associated with Portland Police Bureau Property Evidence Receipt
21 #A109019, Item #1, were seized upon the service of the warrant addendum signed by
22 Multnomah County Circuit Court Judge Amy Holmes Hehn on September 12, 2018, which is
23 attached and incorporated herein as Attachment 1, from a PODS storage container #60849BX,
24 which was in the name of Nancy Lee Crampton-Brophy, located at [REDACTED]

25 [REDACTED] State of Oregon. That I know to be
26 currently stored at the Detective Division Satellite Property Evidence Room on the 13th floor,

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2 **MULTNOMAH COUNTY**

3 Portland Police Bureau, located at 1111 SW 2nd Avenue, City of Portland, County of
4 Multnomah, State of Oregon.

5
6 The one (1) flash drive associated with Portland Police Property Evidence Receipt
7 #A072221, Item #2 was seized upon the service of another signed search warrant on September
8 5th, 2018 by Multnomah County Circuit Court Judge Karen Immergut, (which is included in
9 Attachment 1), at [REDACTED] State of
10 Oregon. I know this flash drive is currently stored at Portland Police Bureau Property Evidence
11 Division located at 2619 NW Industrial St, Suite B4, City of Portland, County of Multnomah,
12 State of Oregon.

13
14 That upon the service of warrant signed by Multnomah County Circuit Court Judge Amy
15 Holmes Hehn on September 7th, 2018, which is attached and incorporated herein as Attachment
16 2, electronic devices including a silver colored HP Laptop computer with serial number
17 [REDACTED] and a black and gray colored HP laptop computer with serial number
18 [REDACTED] were imaged, searched, and examined resulting in evidence related to the crimes
19 of Murder (ORS 163.115) and Unlawful Use of a Weapon (ORS 166.220). I know based on my
20 training and experience it is more likely than not that additional evidence, documentation, and
21 information will be stored in these electronic devices:

22
23 Based on the foregoing I believe probable cause exists for evidence of the crimes of
24 Murder (ORS 163.115) and Unlawful Use of a Weapon (ORS 166.220) and will be found in this
25 laptop computer, three (3) flash drives, and one (1) additional flash drive;

Attachment 1

1 IN THE CIRCUIT COURT OF THE STATE OF OREGON

2 MULTNOMAH COUNTY

3 STATE OF OREGON

4 COUNTY OF MULTNOMAH

)
)
)

AFFIDAVIT FOR
SEARCH WARRANT

5
6 ADDENDUM

7
8 I, Darren Posey, having been first duly sworn, depose and say that I am a Police
9 Detective, and I have been a sworn Peace Officer in the State of Oregon for 21 years, and have
10 been a Police Detective for over 12 years of that time. I have attended the Department of Public
11 Safety Standards and Training (DPSST) three-hundred and twenty (320) hour Basic Police
12 Academy, as well as a DPSST certified three-hundred and sixty (360) hour Advanced Academy
13 instructed by the Portland Police Bureau. I also attended a DPSST certified eighty (80) hour
14 Detective Academy. In addition to this training, I graduated Bethany University with a Bachelor
15 of Arts degree and graduated San Jose City College with an Associates of Arts degree. The
16 academies I have attended included training on investigating homicides, robberies, and assaults. I
17 am currently assigned to the Homicide Detail of the Detective Division for the Portland Police
18 Bureau. My current job assignment includes the investigation and apprehension of subjects who
19 have committed homicides, attempted homicides, and felony assaults;

20
21 That I am seeking a warrant to search two (2) PODS storage containers located at [REDACTED]
22 [REDACTED] City of Wilsonville, County of Clackamas, State of Oregon.
23 These two (2) PODS storage containers are 16' x 8' x 8' and 7' x 7' x 8' respectively for
24 evidence relating to the murder of Daniel Brophy;

25
26 Upon the service of the warrant signed by Multnomah County Circuit Court Judge Karin

1 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**

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3 Immergut, on September 5, 2018, which is attached and incorporated herein, I was notified by
4 Sergeant Ken Whattam that Nancy Lee Crampton-Brophy had been recently moving items out of
5 the residence at [REDACTED] Beaverton, Oregon. Detective Anthony Merrill, DPSST
6 #35227, and I spoke to Jack Brophy, the deceased victim's (Daniel Brophy) father on September
7 5th, 2018 at about 2031 hours in front of Daniel and Nancy Brophy's house located at [REDACTED]
8 [REDACTED] Beaverton, Oregon. Jack Brophy told Detective Merrill and I he visited and
9 contacted Nancy Lee Crampton-Brophy at her house located at [REDACTED]
10 Beaverton, Oregon on September 4th, 2018 and she had a PODS storage container in her
11 driveway to store things she was moving from her residence. I know during our conversation
12 with Jack Brophy and based on his and my observation of the residence driveway that this PODS
13 storage container had been moved away to an unknown location.

14
15 Detective Merrill told me during the execution of the search warrant on deceased victim's
16 (Daniel Brophy) residence located at [REDACTED] Beaverton, Oregon that he saw a
17 credit card transaction receipt lying on the kitchen counter with a bill of \$200.00 from "All My
18 Sons" moving company in Portland, Oregon dated August 20th, 2018. Detective Merrill told me
19 he called "All My Sons" moving company on September 6th, 2018 and spoke to Andrew
20 Bresciani, (Assistant Operations Manager), who told him "All My Sons" moving company
21 packed several items from Nancy Brophy's residence into two (2) PODS storage containers in
22 the residence driveway. Detective Merrill told me that Andrew Bresciani told him their
23 company packed these two PODS storage containers on August 27th, 2018 and August 30th, 2018
24 respectively.

25
26 Detective Merrill told me he contacted PODS corporate legal counsel, Lockwood Gray,

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2 **MULTNOMAH COUNTY**

3 on September 11th, 2018, and emailed and faxed a Subpoena requesting the location of Nancy
4 Lee Crampton-Brophy's two (2) PODS storage containers. Detective Merrill told me Lockwood
5 Gray emailed a response with the results of these two (2) PODS storage containers to him on
6 September 11th, 2018. On September 12th, 2018, a Multnomah County Grand Jury and Deputy
7 District Attorney Shawn Overstreet authorized these records being opened from PODS at my
8 request. These records indicated these two (2) PODS storage containers have assigned numbers
9 [REDACTED] and [REDACTED] and are currently stored at the PODS storage facility located at [REDACTED]
10 [REDACTED] Wilsonville, Oregon.

11
12 That on September 8, 2018, I served a search warrant at [REDACTED]
13 [REDACTED] Beaverton, Oregon. During the service of this warrant we located an unregistered Glock
14 19, 9mm caliber, gun kit stored in a box with other items such as scarves and purses. Based upon
15 this information I know it is more likely than not I will find additional items and or information
16 in the other places Nancy Brophy has been storing items from her household. In addition I was
17 informed on September 12, 2018, by Leland Samuelson an Oregon State Crime Laboratory
18 scientist that the Glock 19 gun found in the storage locker was not the gun used in the murder of
19 Daniel Brophy. I know based upon my training and experience it is more likely than not that
20 additional firearm components, documentation, and information will be contained in the storage
21 units Nancy Brophy has acquired.

22
23 I know from training and experience that premature disclosure of the contents of this
24 affidavit would jeopardize the investigation because it could release information known only to
25 law enforcement investigators. This could allow information to be released that could otherwise
26 be used to check the accuracy of information by witnesses and suspects related to this case.

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3 Based on the foregoing, I request the affidavit be sealed until further ordered by the court,
4 excepting that it may be provided to the defense team in this case subject to the terms of any
5 protective order currently governing discovery in the case.

MULTNOMAH COUNTY

PODS containers with assigned numbers

City of Wilsonville, County of Clackamas, State of Oregon.

These two (2) PODS storage containers are 16' x 8' x 8' and 7' x 7' x 8' respectively, for evidence of crimes related to Murder (ORS 163.115) and Unlawful Use of a Weapon (ORS

- 1) Any handgun, Glock pistol or 9mm caliber firearm, 9mm caliber bullets, magazines, gun cleaning equipment, holsters, and gun safes:

2) Any photographs depicting Nancy Lee Crampton-Brophy with firearms;

3) Any receipts or paperwork for firearm purchases or possession;

4) Any written journals, diaries, or notes;

5) Any keys, documents for storage facilities, or other information regarding locations where Nancy Lee Crampton-Brophy is storing personal effects:

6) To seize any computers and electronic tablets with internet browsing abilities;

7) To seize any cell phones or smart phone devices with the ability to send and receive text messages, email, internet browsing, and phone calls.

Affiant

SUBSCRIBED AND SWORN TO before me this 12th day of September 2018

Judge

AMY HOLMES HEHN
CIRCUIT COURT JUDGE

County of Multnomah

IN THE NAME OF THE STATE OF OREGON

TO ANY PEACE OFFICER IN THE STATE OF OREGON, GREETINGS:

1 You are hereby commanded to search for evidence located in the two storage containers
2 with assigned numbers [REDACTED] at the PODS facility [REDACTED]
[REDACTED] City of Wilsonville, County of Clackamas, State of Oregon. These two (2)
4 PODS storage containers are 16' x 8' x 8' and 7' x 7' x 8' respectively, to seize, test, and
5 examine evidence of crimes related to Murder (ORS 163.115) and Unlawful use of a Weapon
6 (ORS 166.220) to include:

- 7 1) Any handgun, pistol or 9mm caliber firearm, 9mm caliber bullets, magazines, gun
8 cleaning equipment, holsters, and gun safes;
- 9 2) Any photographs depicting Nancy Lee Crampton-Brophy with firearms;
- 10 3) Any receipts or paperwork for firearm purchases or possession;
- 11 4) Any written journals, diaries, or notes;
- 12 5) Any keys, documents for storage facilities, or other information regarding locations
13 where Nancy Lee Crampton-Brophy is storing personal effects;
- 14 6) To seize any computers, laptop computers, and electronic tablets or devices with
15 internet browsing abilities;
- 16 7) To seize any cell phones or smart phone devices with the ability to send and receive
17 text messages, email, internet browsing, and phone calls.

18
19 And to seize and analyze the aforesaid objects of the search:
20
21
22
23
24
25
26

County of Multnomah

IN THE NAME OF THE STATE OF OREGON

TO ANY PEACE OFFICER IN THE STATE OF OREGON, GREETINGS:

You are further directed to make return of this warrant to me within ten (10) days after the execution thereof.

It is further ordered pursuant to ORS 165.657 that the file in this cause be sealed until otherwise ordered by the court.

ISSUED over my hand on 9/12/18 at 10:58 a.m./p.m.

Amy Holmes Hehn
Signature of Magistrate

AMY HOLMES HEHN
CIRCUIT COURT JUDGE
Title of Magistrate

copy

1 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**

2 **MULTNOMAH COUNTY**

3 STATE OF OREGON)

4 COUNTY OF MULTNOMAH)

AFFIDAVIT FOR
SEARCH WARRANT

5

6 I, Darren Posey, having been first duly sworn, depose and say that I am a Police

7 Detective, and I have been a sworn Peace Officer in the State of Oregon for 21 years, and have

8 been a Police Detective for over 12 years of that time. I have attended the Department of Public

9 Safety Standards and Training (DPSST) three-hundred and twenty (320) hour Basic Police

10 Academy, as well as a DPSST certified three-hundred and sixty (360) hour Advanced Academy

11 instructed by the Portland Police Bureau. I also attended a DPSST certified eighty (80) hour

12 Detective Academy. In addition to this training, I graduated Bethany University with a Bachelor

13 of Arts degree and graduated San Jose City College with an Associates of Arts degree. The

14 academies I have attended included training on investigating homicides, robberies, and assaults. I

15 am currently assigned to the Homicide Detail of the Detective Division for the Portland Police

16 Bureau. My current job assignment includes the investigation and apprehension of subjects who

17 have committed homicides, attempted homicides, and felony assaults;

18

19 That I am seeking a search warrant for the following locations and items: 1. The

20 residence of NANCY LEE CRAMPTON-BROPHY located at [REDACTED] City of

21 Beaverton, County of Washington, State of Oregon; 2. The vehicle used and operated by

22 NANCY LEE CRAMPTON-BROPHY specifically a 2005 Toyota Sienna mini-van gray in color

23 with license plate 067BQX; 3. The cell phone of NANCY LEE CRAMPTON-BROPHY with

24 assigned phone number [REDACTED] along with any computers, electronic tablets, and any

25 other electronic devices with internet access;

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2 **MULTNOMAH COUNTY**

3 The following information is provided to establish probable cause relative to the
4 information sought in this affidavit, and may not necessarily contain all of the facts and
5 circumstances I am aware of relative to this ongoing investigation.
6

7 That On June 2, 2018 I was directed to respond to the Oregon Culinary Institute at 1701
8 SW Jefferson Street, City of Portland, County of Multnomah, State of Oregon to conduct an
9 investigation related to the homicidal death of Daniel C. Brophy. The assigned Case Number is
10 18-183742. During the course of this investigation I oversaw the collection of information from
11 the crime scene located in and around the Oregon Culinary Institute located at 1701 SW
12 Jefferson Street, City of Portland, Multnomah County, and State of Oregon.
13

14 After reviewing the initial police response, talking to officers present at the scene and
15 debriefing with other investigators who were present, the following information has been
16 developed regarding Case Number 18-183742. I was informed by Sergeant Whattam that police
17 were called to respond to investigate a subject who had been recently shot with a gun and had
18 died in one of the kitchen areas of the Oregon Culinary Institute at 0823 hours on June 2, 2018.
19 The subject who had been killed was identified as Daniel C. Brophy who was an employed
20 instructor at the Oregon Culinary Institute. I personally observed that Daniel C. Brophy's injuries
21 were such that they could not have been self-inflicted, and no firearm was located at the scene.
22 The location of the crime occurred inside the institute, and I learned from staff and personal
23 observation the institute did not have any security surveillance camera systems. After contacting
24 the students and other staff members responding officers were not able to identify any eye-
25 witnesses who had heard or seen the actual crime occur. During the initial interviews with
26 institute administrators I was unable to identify any subjects who had a current grudge or dispute

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3 with Daniel C. Brophy.

4

5 While at the location of occurrence I conducted an audio recorded interview with the wife

6 of Daniel C. Brophy. The wife's name is Nancy Lee Crampton-Brophy. Nancy Lee Crampton-

7 Brophy told us she had come to the Oregon Culinary Institute because a friend had called her

8 about an incident at the institute and it was on the news. Nancy Lee Crampton-Brophy told me

9 she had attempted to call Daniel C. Brophy without result. We spoke to Nancy Lee Crampton-

10 Brophy in order to determine when Daniel C. Brophy left his home and what routines he keeps in

11 the morning. Nancy Lee Crampton-Brophy provided a timeline for when Daniel C. Brophy had

12 left their house that morning and she also provided some background information about her

13 husband. Nancy Lee Crampton-Brophy told us she believed Daniel C. Brophy left their residence

14 in Beaverton sometime around 0705 hours and would have arrived at the institute about ten

15 minutes or so later as they only live about five miles away. Nancy Lee Crampton-Brophy also

16 indicated she was at home at the time her husband left the house. Nancy Lee Crampton-Brophy

17 told us she did not know of any dispute or problem with any person that would provide a motive

18 for this incident. Nancy Lee Crampton-Brophy told us Daniel C. Brophy was well liked at the

19 institute and with the students. Nancy Lee Crampton-Brophy told us she and her husband had

20 decided to buy a handgun in February of this year (2018) after hearing about the school shooting

21 in Florida. Nancy Lee Crampton-Brophy told us she believed it was still at the house, but had not

22 looked at it recently. Nancy Lee Crampton-Brophy said they had not used it as they were not

23 really people that were familiar with guns. Nancy Lee Crampton-Brophy described the gun as a

24 Glock handgun in 9mm caliber.

25

26 While Nancy Lee Crampton-Brophy was at the Culinary Institute with us we asked if we

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3 could drive her back home and check if the firearm was still at the house, as we were unsure if
4 Daniel C. Brophy may have had the gun with him at the Institute for protection, and it had been
5 used against him in some way. Nancy Lee Crampton-Brophy agreed, and Detective Beniga and
6 Detective Broughton travelled with her back to her house to check the condition of the firearm. I
7 observed the vehicle Nancy Lee Crampton-Brophy was driving was a gray colored Toyota
8 Sienna mini-van with a roof rack and tinted windows. A set of pictures were taken of the vehicle
9 Nancy Lee Crampton-Brophy was driving by Detective Beniga, please see attached photos in
10 EXHIBIT A.

11
12 Detective Beniga later told me Nancy Lee Crampton-Brophy gave the Glock 9mm
13 handgun to them for safekeeping. The gun was found in its box without ammunition along with
14 magazines and the slide zip-tied through the barrel.

15
16 During this investigation a canvas for video surveillance was conducted of the
17 surrounding businesses located by the Oregon Culinary Institute. This canvas is an investigative
18 technique designed to locate and identify potential suspects, suspect transportation, and avenues
19 of escape by the perpetrator. I had been informed by Detective Merrill that the Bellagio's Pizza
20 restaurant located across the street from the Oregon Culinary Institute had a security surveillance
21 system and had a camera that covered SW Jefferson Street just west of the Culinary Institute.

22
23 While watching the video at the Bellagio's location I observed a dark colored minivan
24 drive west bound on SW Jefferson Street from the area of the Oregon Culinary Institute. The
25 vehicle looked just like the mini-van driven by Nancy Lee Crampton-Brophy. The time the mini-
26 van travels west from the area of the institute was 0728 hours (AM) as adjusted from the

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3 surveillance system that was synced to Eastern Standard Time. The mini-van on the video
4 appeared to be driven by a subject who had gray hair. As Detective Beniga was at the house of
5 Nancy Lee Crampton-Brophy we asked him to take some pictures of her vehicle in order to
6 compare it with the video. Detective Beniga told me when he was taking pictures of the mini-
7 van; Nancy Lee Crampton-Brophy spontaneously stated, "Why? I wasn't there this morning, I
8 was at home."
9

10 The information developed from the crime scene and the autopsy conducted the
11 following day determined the bullets involved in the shooting were 9mm in caliber and were
12 fired by a semi-auto type handgun. The casings found at the crime scene were stamped "sig 9mm
13 luger" with silver colored exteriors. I was also able to find from the Oregon Culinary Institute
14 staff that Daniel Brophy had deactivated the alarm for the institute building at approximately
15 0721 hours on June 2, 2018. From the information developed from the autopsy and the initial
16 observance by the Medical Examiner Daniel Brophy was shot in the back once and shot in the
17 chest once. Both bullet impacts were centrally oriented on his body and both bullets traversed the
18 heart. Daniel Brophy did not have any defensive type wounds on his body. I noted no items or
19 money appeared to have been taken from Daniel Brophy and no sign of a struggle or disturbance
20 was present at the crime scene. Further, no items were found to be disturbed or missing from the
21 Oregon Culinary Institute.
22

23 During the initial investigation the cell phone belonging to Daniel Brophy the deceased
24 victim was located on his person during the incident. The phone was seized as evidence and its
25 information downloaded by Detectives in order to preserve the evidence. I personally reviewed
26 the information on the phone in an attempt to discover possible motive and suspect information

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3 related to Daniel Brophy's murder. During the review I found a website book mark for the title
4 "10 ways to cover up a murder." Please see attached copy of website article in EXHIBIT B. I
5 later had contact with Nancy Brophy who confirmed she and Daniel Brophy had a shared Apple
6 I-Tunes account for their phones. From my research into Apple's I-Tune family sharing plans, I
7 know that internet searches and bookmarks are saved to the accounts search history and viewable
8 from any phone attached to the account. I know from talking to Nancy Lee Crampton-Brophy
9 she is a romance novelist and has several books published. I also know from my investigation
10 and interview with Nancy Lee Crampton-Brophy she is involved with medical insurance
11 counseling and is familiar with life insurance programs.
12

13 I also took time to compare the surveillance video with the pictures of Nancy Lee
14 Crampton-Brophy's mini-van. As I observed the photos I noted an older scratch with indentation
15 of the driver's side rear quarter panel between the top of the rear wheel well and the fuel door.
16 The scratch/indentation was rusted and had been on the vehicle for some period of time. As I was
17 able to view the video with a better monitor, I could see the same deformation in the mini-van on
18 the Bellagio's Pizza surveillance video. I could also see the driver's appearance was consistent to
19 Nancy Lee Crampton-Brophy's appearance.
20

21 After further canvassing I noted we were able to find additional video that pictured the
22 same mini-van at the same time frames circling the area at 0708 hours. Located to the west of the
23 Culinary Institute is a MAX platform called the Goose Hollow Station and has a series of camera
24 systems. Detective Merrill and I were able to secure the platform video for this station from 0630
25 hours to 0730 hours. Detective Merrill and I later reviewed these videos and were able to locate a
26 van matching the description of the Toyota Sienna belonging to Nancy Lee Crampton-Brophy

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3 driving in towards the Oregon Culinary Institute at 0641 hours from the west. In one of the
4 videos we were able to identify a portion of the license plate on the gray colored Toyota Sienna
5 mini-van. The viewable digits are "67 B." I was not able to specifically identify the first digit and
6 the last two digits listed on the license plate, but I was able to narrow what is seen into a range of
7 possible digits. The first digit of the plate could be a "0," but it is not completely clear enough to
8 be sure in my estimation. The other digits of the plate observed are consistent with "Q" and "X,"
9 but could also possibly be a "D" and a "K." The license plate for the Toyota Sienna mini-van
10 belonging to Nancy Lee Crampton-Brophy is assigned Oregon State License number "067
11 BQX." I know from my own internet research that Toyota made the same body and light
12 configuration for the Sienna mini-van for 2004 and 2005 models, and I know that the Toyota
13 Sienna mini-van registered to Daniel Brophy match that model seen in the video surveillance I
14 viewed. An Oregon DMV search indicates about 21 vehicles licensed in the State of Oregon to
15 2004 and 2005 Toyota Sienna vans could fit this partial license plate combination.

16
17 The other videos recovered and viewed were able to document a general area of travel for
18 the mini-van. The van is seen arriving on SW Jefferson Street and SW 20th Avenue heading east
19 towards the Oregon Culinary Institute at 0641 hours. The vehicle is seen heading north on SW
20 18th Avenue. The van is later seen stopping in front of KGW Studios on SW Jefferson east of the
21 Oregon Culinary Institute. The vehicle waits a short period of time then drives west by another
22 camera located at 1734 SW Jefferson Street and continues west travelling by Bellagios
23 Restaurant at 0708 hours. The van is then seen traversing the roundabout at SW Jefferson and
24 SW 18th Avenue where it is encountered by a PGE video security camera located at SW
25 Columbia Street and SW 16th Avenue. On this camera the mini-van turns left and drives north on
26 SW 17th Avenue towards the Oregon Culinary Institute one block away. The vehicle is not seen

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3 driving by the other cameras until 0728 hours as it drives by Bellagios Restaurant again as it
4 heads west towards Beaverton. The vehicle is also observed again at the Goose Hollow Tri-Met
5 Station continuing west on NW Jefferson Street and out of view heading towards Beaverton
6 Oregon. Based on the totality of this information I believe Nancy Lee Crampton-Brophy was
7 circling the area in her dark colored mini-van prior to Daniel C. Brophy's arrival at the Oregon
8 Culinary Institute, and Nancy Lee Crampton-Brophy was watching for Daniel C. Brophy's
9 arrival in order to effect his eventual murder.

10
11 It should be noted a court order/warrant was served on the AT&T account for the cell
12 phone number of Nancy Lee Crampton-Brophy for the historical location information for the
13 phone. The return of the warrant information requested is still being analyzed, but initial
14 indication shows the phone located in the area of Nancy Lee Crampton-Brophy's residence in
15 Beaverton Oregon during the time of the incident when Daniel Brophy was murdered. According
16 to the initial analysis from the Detective Division crime analyst, Nancy Lee Crampton-Brophy's
17 phone was not used but was on and connected to a nearby cell site.

18
19 On June 5th, 2018, four days after Daniel Brophy's murder I received a call from Nancy
20 Lee Crampton-Brophy inquiring as to a letter clearing her as a suspect in the death of her
21 husband Daniel Brophy. During this investigation I have been contacted by four different
22 insurance agencies and I have learned that Nancy Lee Crampton-Brophy is the beneficiary of
23 these policies to an approximate value of \$350,000.

24
25 During this investigation I spoke to Nathaniel Stillwater the son of Daniel Brophy on
26 June 27, 2018. During our conversation I learned Nancy Lee Crampton-Brophy used to sell life

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3 insurance. I also found Nathaniel Stillwater was unaware of the recent purchase of a handgun by
4 Nancy Lee Crampton-Brophy. Nathaniel Stillwater told us he was surprised about the purchase
5 of the gun, and thought it was odd as he did not know they were considering such a purchase.
6 Nathaniel Stillwater told us he did not consider Nancy Lee Crampton-Brophy or his father to be
7 the type of people to own a gun. Nathaniel Stillwater told us he is familiar with firearms and
8 owns several firearms for hunting and sporting activities. Nathaniel Stillwater told us his father
9 knew this about him, and he thought his father would have likely talked to him about such a
10 purchase.

11
12 Nancy Lee Crampton-Brophy told me she purchased the firearm at a gun show in
13 February 2018, and she had not used the gun or had any ammunition to load into the firearm.
14 When she gave the firearm to Detective Beniga she also provided a copy of the purchase receipt.
15 The receipt listed J&B Firearm Sales as the vendor who sold the firearm to Nancy Lee
16 Crampton-Brophy. I confirmed the serial number on the firearm matched that of the receipt. I
17 went to J&B Firearms located at 10201 SW Beaverton-Hillsdale Highway in Beaverton Oregon.
18 I spoke with the employees there and they informed me that when they sell firearms at the gun
19 shows they do not sell ammunition. The employees showed me the type of zip ties they use for
20 securing weapons at the gun shows. I noted the zip tie used was similar to the one found on the
21 gun Nancy Lee Crampton Brophy had turned over for safe keeping. While at J&B Firearms I
22 noted they had the same type of ammunition for sale that was found in the crime scene. I also
23 noted that J&B Firearms Store is located less than a mile away from Nancy Lee Crampton
24 Brophy's home address.

25
26 On August 29, 2018 I submitted an affidavit for a warrant to test and analyze the Glock

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3 17 firearm given to Detective Beniga and Detective Broughton for safe keeping by Nancy Lee
4 Crampton Brophy. Multnomah County Circuit Court Judge Amy Holmes-Hehn issued a warrant
5 to test and analyze the Glock 17 handgun with serial number [REDACTED]. I transferred this firearm
6 along with the two casings and bullets recovered from the crime scene to the Oregon State
7 Criminal Laboratory on August 29, 2018. On September 4, 2018 I spoke to Leland Samuelson
8 the forensic scientist and firearm expert who conducted the analysis of the handgun, casings, and
9 bullets. Leland Samuelson told me the Glock 17 handgun with serial number [REDACTED] was not
10 the gun that fired the bullets that killed Daniel Brophy. Leland Samuelson told me the gun used
11 to shoot the ammunition components from the crime scene was most likely a different Glock
12 handgun of 9mm caliber. Leland Samuelson confirmed the same gun was used to fire both
13 bullets in the murder Daniel Brophy.

14
15 **1. Residential Search:**

16
17 I am requesting a warrant to search the residence and vehicle of Nancy Lee Crampton-
18 Brophy at [REDACTED] of Beaverton, County of Washington, State of Oregon.
19 This location is a single story residence with a detached garage; two tone blue colored siding
20 with white colored trim around the windows and eaves, and a gray colored composite roof. The
21 numbers "[REDACTED]" for the residence are affixed to the right side of the front door.

22
23 From my training and experience as a police detective along with conversations with
24 other investigators I know that more likely than not persons involved in premeditated murder
25 will conduct extensive research and planning in order to conduct and conceal their crime. This
26 research includes internet searches with personal home computers on how best to conduct a

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3 murder as well as how to avoid detection. I know from my training and experience investigating
4 similar premeditated crimes that these internet searches can be bookmarked for future access
5 providing evidence of intention and motive, I also know these internet searches will include
6 inquiries into areas on how to flee apprehension, as well as ways to best benefit from the
7 commission of the crime, such as insurance agency protocols and correspondence for payment of
8 benefits from various policies. I know this research and planning can be found on electronic
9 devices such as computers, electronic tablets, smart phones, personal journals and diaries, and
10 printed documents. I further believe that it is more likely than not that this type of evidence will
11 be located within the home located at [REDACTED] Beaverton, Oregon because of the
12 previously mentioned bookmark on the Brophy's shared iPhone account revealing a prior search
13 for "10 ways to cover up a murder."

14
15 That I know from my training and experience as a police detective, suspects who commit
16 criminal actions with firearms often secrete and retain items of evidence in residences and
17 vehicles which they may occupy to include but not limited to: guns, ammunition, clothing, and
18 documents showing ownership. These items can also be intermingled with receipts showing
19 dominion and control of personal property along with items and proceeds of the criminal action
20 and items of identification leading to the identity of additional suspects. That I know from my
21 training and experience that handguns are easily hidden on a person, within their clothing, within
22 vehicles, and within residences. I know based on my training and experience that Glock
23 handguns can range in size from small enough to be hidden in a closed hand, in the case of a
24 small Derringer style handgun, or up to 14 inches in length and using telescopic sights. I know
25 that handguns are discovered by police officers inside places similar to, but not limited to engine
26 compartments, trunks, wheel wells, compartments, consoles, jackets, shoes, closets, safes, and

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3 crawl spaces.
4

5 That I know based on my training and experience a handgun can be dismantled into its
6 parts and those parts can be hidden anywhere within a vehicle or residence. I know based on my
7 training and experience that handguns, as well as other firearms, are commonly dismantled and
8 their parts hidden in different locations, or traded with other parts, in order to prevent discovery
9 by law enforcement. In addition, the practices of dismantling and hiding firearms are done in an
10 effort to disrupt the potential success of ballistic testing when the firearm is found by law
11 enforcement. I know that these handgun parts can be hidden anywhere to include, but not
12 limited to, residences, pockets of clothing, vehicle compartments, envelopes, plastic baggies,
13 Tupperware type containers, coffee cans, film canisters, and other small containers.
14

15 That I know from my training and experience that the Portland Police Bureau Forensics
16 Evidence Division can lift latent fingerprints from non-porous objects, which can be used to
17 identify individuals who possessed the above described items.
18

19 That I know from my training and experience that certain items, documents, and
20 electronic devices can show possession, dominion, and control over said premises, including but
21 not limited to keys, mail, envelopes, address books, and similar items are discovered and often
22 relevant in determining the identity of the possessors of the criminally possessed items seized as
23 evidence.
24

25 That I know from my training and experience that items such as documents, electronic
26 devices, firearms, and ammunition that are sought in this warrant are often retained by people for

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3 long periods of time, sometimes for several months and or years.

4
5 That, in reviewing all the above listed information, I have probable cause to believe
6 evidence of Murder and Unlawful Use of a Weapon will be found inside [REDACTED]
7 City of Beaverton, County of Washington, State of Oregon;

8
9 That I therefore ask the above-entitled court issue a search warrant authorizing the
10 seizure and search of the following: The residence with detached garage, including the curtilage,
11 located at [REDACTED] City of Beaverton, County of Washington, State of Oregon;

12
13 To search for, and seize instrumentalities, and evidence of the crimes of Murder, as
14 defined in Oregon Revised Statute 163.115, and Unlawful Use of a Weapon, as defined in
15 Oregon Revised Statute 166.220, and to authorize the processing, testing, analyzing, comparing,
16 and/or searching of this evidence by me and other Detectives with the Portland Police Bureau,
17 Criminalists from the Portland Police Bureau Forensic Evidence Division and/or other Forensic
18 Investigators with the Oregon State Police Criminal Laboratory, or any other sworn law
19 enforcement agency within the State of Oregon;

20
21 To include: Evidence of the crimes of Murder and Unlawful Use of a Weapon,
22 including, weapons, firearms, fingerprints, photographs, written material such as journals and
23 notes, cellular phones, computers, electronic tablets, and other electronic devices that use cellular
24 technology to connect to the internet as well as devices that have internet web browsing
25 capabilities, biological materials or trace evidence, and evidence of ownership and
26 correspondence, including text messages, email, internet site information for the selling and

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3 purchase of items (i.e. Craigslist or Offer-Up), postal oriented mail, and purchase receipts or
4 purchase agreements;

5
6 **2. Vehicle Search:**

7
8 I am requesting a warrant to seize and search a gray colored Toyota Sienna mini-van with
9 Oregon license plate "067BQX" for items of evidence related to the murder of Daniel Brophy.

10 The vehicle is currently registered to Daniel Brophy at the address of [REDACTED]
11 City of Beaverton, County of Washington, State of Oregon.

12
13 That I know from my training and experience as a police detective, suspects who commit
14 criminal actions with firearms often secrete and retain items of evidence in vehicles which they
15 may occupy to include but not limited to: guns, ammunition, clothing, and documents showing
16 ownership. These items can also be intermingled with receipts showing dominion and control of
17 personal property along with items and proceeds of the criminal action and items of
18 identification leading to the identity of additional suspects. That I know from my training and
19 experience that handguns are easily hidden on a person, within their clothing, within vehicles,
20 and within residences. I know based on my training and experience that handguns can range in
21 size from small enough to be hidden in a closed hand, in the case of a small Derringer or up to 14
22 inches in length and using telescopic sights. I know that handguns are discovered by police
23 officers inside places similar to, but not limited to engine compartments, trunks, wheel wells,
24 compartments, consoles, jackets, shoes, closets, safes, and crawl spaces.

25
26 That I know based on my training and experience a handgun can be dismantled into its